

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SEVENTEENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO: 20983 of 2004

Between:

- 1 Smt. Gurralla Narayanamma, W/o. Late Apparao, Hindu, Female
R/o. 65-1-150, Sreenagar, Srinivasanagar, Malkapuram (P.O).,
Visakhapatnam.
- 2 Smt. Abati Savithri, D/o. Late Apparao, Hindu, Female
R/o. 65-1-150, Sreenagar, Srinivasanagar, Malkapuram (P.O).,
Visakhapatnam.
- 3 Gurralla Krishnarao, S/o. Late Apparao, Hindu, Male
R/o. 65-1-150, Sreenagar, Srinivasanagar, Malkapuram (P.O).,
Visakhapatnam.
- 4 Gurralla Haimavathi, D/o. Late Apparao, Hindu, Female
R/o. 65-1-150, Sreenagar, Srinivasanagar, Malkapuram (P.O).,
Visakhapatnam.
- 5 Gurralla Mangavathi, D/o. Late Apparao, Hindu, Female
R/o. 65-1-150, Sreenagar, Srinivasanagar, Malkapuram (P.O).,
Visakhapatnam.

... PETITIONERS

AND

The District Collector (Land Acquisition) Visakhapatnam.

...RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of writ of mandamus declaring the inaction of the respondent in not passing any order of reconveying Plot Nos. 26 and 27 of Pedagantyada (v) and Mandal,

Visakhapatnam District inspite of our repeated requests by the respondent as illegal, arbitrary, capricious unjust and consequently to direct the respondent to reconvey the above Plots within the time stipulated by this Hon'ble Court or to pass any other order or orders.

Counsel for the Petitioner: SMT.N.(P).ANJANA DEVI

Counsel for the Respondent: GP FOR LAND ACQUISITION

The Court, at the admission stage, made the following:

ORDER:

Once the lands of petitioners were acquired, award was passed and compensation is deposited in the Civil Court, where reference under Sections 30 and 31 of the Land Acquisition Act was made, petitioners cannot claim that they are entitled to re-conveyance of the lands on the ground that the property that was acquired was not utilized for the purpose for which it was acquired. The right of the petitioners, if any, is only to receive compensation on such adjudication of the rival claims by the Civil Court to which, reference is made.

2. The writ petition is misconceived and it is accordingly dismissed.
No order as to costs.

A.

GOPAL REDDY, J

November 17, 2004

MRR

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To:

1. The District Collector (Land Acquisition) Visakhapatnam.
2. Two C.C. s to the G.P. for Land Acquisition, High Court Buildings, Hyderabad (OUT).
3. Two C.D. Copies.